

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In Re:)	CASE NO. 14-50223-MGD
)	
GREY ERIC EATON)	CHAPTER 7
)	
Debtor.)	
)	
)	
)	
)	
)	
NEIL C. GORDON, Chapter 7 Trustee)	
For the Estate of Grey Eric Eaton)	
)	
Plaintiff,)	ADVERSARY PROCEEDING
)	NO. 15-05465-MGD
vs.)	
)	
BANK OF AMERICA, N.A. , SETERUS, INC.,)	
As authorized servicer for FEDERAL NATIONAL)	
MORTGAGE ASSOCIATION, and MARY C.)	
BLAESING,)	
)	
Defendants.)	
)	

**MOTION TO EXTEND THE PERIOD TO
RESPOND TO PLAINTIFF'S COMPLAINT**

COMES NOW, Defendant Bank of America, N.A. ("BANA" or "Defendant"), by and through its undersigned counsel, and hereby files this Motion to Extend the Period to Respond to Plaintiff's Complaint (the "Motion to Extend"). In support of the Motion to Extend, Defendant respectfully shows this Court as follows:

1.

On December 31, 2015, Plaintiff, Neil C. Gordon, as Trustee for the bankruptcy estate of Grey Eric Eaton (“Debtor”) filed the Complaint in the above captioned Adversary Proceeding.

2.

On December 31, 2015, the Clerk issued a Summons for Defendant BANA. [Doc. 2]. Upon information and belief, Plaintiff has not served a copy of the Summons and Complaint on Defendant BANA. However, the Clerk’s docket entry reflects that Defendant BANA’s Answer or Response to Plaintiff’s Complaint is due on February 1, 2016. [Doc. 2].

3.

On January 15, 2016, the Plaintiff filed a Motion to Approve Settlement with Defendant Seterus, Inc. (“Seterus”) in the underlying Chapter 7 Bankruptcy case. [Bankr. Doc. 46]. A hearing on the Motion to Approve Settlement has been scheduled for February 11, 2016. [Bankr. Doc. 47]. It appears that the Plaintiff and Defendant Seterus may have settled and resolved all matters at issue in the Complaint, including those involving Defendant BANA. However, out of an abundance of caution, pursuant to Fed. R. Civ. P. 6(b), Fed. R. Civ. P. 12(a), Fed. R. Bankr. P. 9006 and Fed. R. Bankr. P. 7012, Defendant BANA requests that the period to answer, move, object, or otherwise respond to the Complaint be extended through and including March 1, 2016.

WHEREFORE, Defendant respectfully requests that this Court enter an Order extending the period for Defendant to answer, move, object, or otherwise respond to Plaintiffs’ Complaint through and including March 1, 2016.

Respectfully submitted this 29th day of January 2016.

MCGUIREWOODS, LLP

/s/ Paul A. Rogers

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CERTIFICATE OF SERVICE

I hereby certify that on January 29, 2016, I electronically filed the foregoing ***Motion to Extend the Period to Respond to Plaintiff's Complaint*** with the with the Clerk of the Court using the CM/ECF System, which sent notification of such filing to the party listed below pursuant to B.L.R. 5005-8(b), and I served a true and correct copy of same via U.S. Mail First Class, postage pre-paid to:

Neil C. Gordon, Esq.
Michael J. Bargar, Esq.
ARNALL GOLDEN GREGORY LLP
171 17th Street, N.W.
Suite 2100
Atlanta, Georgia 30363

/s/ Paul A. Rogers

Paul A. Rogers
Georgia Bar No. 612278